

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JEFFREY MONTSON AND SHERRIE MONTSON

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:15cv414TSL-RHW

JAMES GREENWOOD, ET AL.

DEFENDANTS

ORDER

This case is before the court on the report and recommendation of United States Magistrate Judge Robert H. Walker, recommending dismissal based on lack of subject matter jurisdiction. Pro se plaintiffs Jeffrey and Sherrie Montson¹ have failed to file an objection and the time for doing so has since expired. Having considered the report and recommendation and the complaint, the court concludes that it is well taken and should be adopted as the opinion of this court.

It is therefore ordered that the report and recommendation of Magistrate Judge Robert H. Walker is adopted as the opinion of this court.

¹ While the report and recommendation does not reference putative co-plaintiff Sherrie Montson, it is clear that the court's conclusion that it lacks subject matter jurisdiction over the complaint necessarily applies with equal force to her.

IT IS THEREFORE ORDERED that plaintiffs' complaint is dismissed with prejudice as to the court's subject matter jurisdiction. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 24th day of September, 2015.

/s/Tom Lee
UNITED STATES DISTRICT JUDGE